

MONDAY, MARCH 8, 1982

SEVENTY-EIGHTH LEGISLATIVE DAY

The House met at 5.00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Nelson Hunter, Oakland Church of Christ, Clarksville, Tennessee.

Representative Pickering led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith:

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House Bill No. 1551 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith:

House Bill No. 1654 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

CALENDAR

Mr. Murray moved that House Bills Nos. 1946 and 1945 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

Mr. Withers moved that House Bill No. 916 be placed on the Calendar for, Monday, March 15, 1982, which motion prevailed.

Mr. Huskey moved that House Bill No. 1468 be placed on the Calendar for Monday, March 15, 1982, which motion prevailed.

House Bill No. 1568--To make certain provisions, veterinary medicine.

Mr. Burnett moved that House Bill No. 1568 be passed on third and final consideration.

Mr. Robertson moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1568 by adding the following to the amendatory language of Section 1:

Provided, however, it shall not be considered the practice of veterinary medicine for a person or his employees to remove an embryo from such person's own food or companion animal for the purpose of transplanting or cryopreserving such embryo.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1568, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton--92.

Representative present and not voting was: Sterling--1.

A motion to reconsider was tabled.

House Bill No. 1470--To amend Section 54-17-114, Code.

On motion, House Bill No. 1470 was made to conform with Senate Bill No. 1737.

On motion, Senate Bill No. 1737, on same subject, was substituted for House Bill No. 1470.

Mr. Huskey moved that Senate Bill No. 1737 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1737 by adding the following new section before the effective date section and by renumbering such effective date section accordingly:

SECTION _____. Provided, however, before any funds shall be expended to effectuate the purposes of this act, any sign authorized and directed to be placed by the 1981-82 Appropriations Bill shall be erected.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1737, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell

(Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

CONSENT CALENDAR

OBJECTION

An objection was filed to the following bills on the Consent Calendar:

Mr. Shockley objected to House Bills No. 2216 and 2217.

Mr. Shockley moved that House Bills Nos. 2216 and 2217 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1858--To amend Titles 5 and 7, Code.

House Joint Resolution No. 314--Relative to commending, Junior Achievement Program.

Senate Joint Resolution No. 171--Relative to honoring Miss Mary Carmack.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 226--Relative to honoring Debra Carter.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 227--Relative to sympathy, Z. Cartter Patten, Jr.

On motion, the resolution was concurred in.

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A motion to reconsider was tabled.

Senate Joint Resolution No. 232--Relative to honoring Gene "Pappy" Thompson.

House Joint Resolution No. 358--Relative to congratulating Darrell Waltrip.

House Bill No. 1801--To provide for Referendum, Dresden.

Mr. Speaker McWherter moved to amend as follows:

AMENDMENT NO. 1

Amend by inserting at the beginning of House Bill 1801 the following:

WHEREAS, the Board of Mayor and Aldermen of the City of Dresden has been requested by certain citizens and booster club members to show support for certain coaches employed in county schools located in the City of Dresden; and

WHEREAS, the Board of Mayor and Aldermen of the City of Dresden does not employ any of said coaches; and

WHEREAS, the Board of Mayor and Aldermen of the City of Dresden has no authority to negotiate salaries or supplements for coaches employed by the county schools; and

WHEREAS, the Board of Mayor and Aldermen of the City of Dresden recognizes the county board of education's duty to bargain in good faith with the Weakley County Education Association; and

WHEREAS, the intent of the citizens and booster club members would seem to be the rewarding of dedicated service to athletic programs that enhance community spirit; now, therefore,

On motion, the amendment was adopted.

House Bill No. 1815--To define voter qualifications, Crossville.

House Bill No. 2062--To levy tax on lodging, Bristol.

House Bill No. 2140--To establish Highway Commission, Houston County.

House Bill No. 2153--To provide for Board of Education, Perry County.

House Bill No. 2174--To allow compensation, clerical staff and Assistant Clerk, County Road Superintendent.

House Bill No. 2179--To create a Probate and Juvenile Court, Dickson County.

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House Bill No. 2182--To make certain provisions, City of Humboldt.

On motion, House Bill No. 2182 was made to conform with Senate Bill No. 2280.

On motion, Senate Bill No. 2280, on same subject, was substituted for House Bill No. 2182.

House Bill No. 2214--To provide for Board of Education, Chester County.

House Bill No. 2215--To authorize a privilege tax, certain counties.

House Bill No. 2220--To increase litigation tax, Wilson County.

House Bill No. 2226--To levy mineral severance tax, Weakley County.

House Joint Resolution No. 360--Relative to congratulating Marshall County Little League Baseball Team.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Pickering moved that the rules be suspended for the purpose of introducing House Resolution No. 106 out of order, which motion prevailed.

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House Resolution No. 106--Relative to commending Raymond Crumley and David Parnell--By Pickering and Wix.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Pickering, the resolution was adopted.

A motion to reconsider was tabled.

HOUSE BILL ON STATE AMENDMENT

House Bill No. 1350--To make certain provisions, health insurance claims.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1350 by changing the period at the end of part (E) in subsection (b)(2) of Section 1 to a semicolon, and adding thereto the following words and symbols:

"(F) Is located within the state of Tennessee."

SENATE AMENDMENT NO. 2

Amend House Bill No. 1350 by striking the amendatory language in Section 1 and by inserting therein the following language:

"(b)(1) Notwithstanding the provisions of any other law to the contrary, no insurer, or employer or other entity which administers health, medical or surgical insurance or which has an insurance company administering its health services program shall, and no individual, blanket or group policy of insurance issued pursuant to Tennessee Code Annotated, Title 56, which is entered into, amended, delivered, issued for delivery, or renewed by agreement or otherwise, on or after the effective date of this act, shall deny, for the reason that the insured or the covered dependent incurred no expense, charge, or obligation, a claim for expenses incurred in connection with such patient's hospitalization for hospital, medical or surgical services rendered by a non-governmental, charitable research hospital which bills all patients for services rendered but does not enforce by judicial proceedings payment from an individual patient in the absence of insurance coverage.

No expense incurred, individual or group hospital, medical or surgical policy issued, delivered, amended or renewed on or after the effective date of this act, or employer or other entity which administers health, medical, or surgical insurance or which has an insurance company administering its health services program, shall except, limit, or reduce benefits or otherwise fail to pay for services rendered by a non-governmental

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charitable research hospital because it bills patients for services rendered but does not enforce by judicial proceeding collection from individual patients in the absence of insurance coverage."

Mr. Naifeh moved that the House concur in Senate Amendments Nos.1 and 2, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --97.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 1447

Senate Bill No. 1447--To amend Section 37-234, Code.

Mr. Cobb moved that the motion to reconsider Senate Bill No. 1447 be lifted from the table, which motion prevailed.

Mr. Cobb moved that the House reconsider its action in passing Senate Bill No. 1447 on third and final consideration, as amended, which motion prevailed.

Mr. Cobb moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Cobb moved that Amendment No. 1 be withdrawn, which motion prevailed.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 1447 by deleting Sections 1 and 2 and substituting instead the following:

SECTION 1. Tennessee Code Annotated Section 37-234 is amended by deleting sub-part 1 of sub-section (a) and substituting instead:

"The child was sixteen (16) years or more of age at the time of the alleged conduct, or the child was more than twelve (12) years of age if such child was charged with the offense of murder, rape, aggravated rape, robbery with a deadly weapon or kidnapping as defined by T.C.A. Section 39-2903. The district attorney general may not seek nor may any child transferred under the provisions of this section receive a sentence of death for the offense for which the child was transferred."

SECTION 2. Tennessee Code Annotated Section 37-234(b) is amended in the prefatory language by deleting the word "may" and substituting instead the word "shall".

SECTION 3. Tennessee Code Annotated Section 37-234(g) is amended by deleting the first sentence in its entirety. And further amended by adding the following new sentence "The provisions of this section relative to housing of juveniles who have obtained the age of eighteen (18) shall not be effected by subsections (h), (i) and (j)."

SECTION 4. Tennessee Code Annotated Section 37-234 is further amended by adding the following new subsections:

h. When a child transferred under this section is detained pending trial, such detention shall be in an adult detention facility separate and removed from adult detainees. Provided however, unless the court having adult criminal jurisdiction orders otherwise, the juvenile court may, in its discretion order confinement in a juvenile detention facility pending trial.

i. Any person who was transferred under this section and who was more than twelve (12) years of age and less than sixteen (16) years of age at the time of the offense and is subsequently convicted and committed, shall be housed in a juvenile correctional facility until he reaches the age of sixteen (16) at which time he may be transferred upon the order of the committing court to an adult facility. Any person transferred to an adult facility under this section shall be housed, separate and removed from adult inmates, in the regional facility nearest his home.

j. Any person who is transferred under this section and who was sixteen (16) or older at the time of the offense and is subsequently convicted and committed shall be housed in a juvenile correctional facility unless the committing court orders commitment to an adult facility. Any person committed to an adult facility under this section shall be housed, separate and removed from adult inmates, in the regional facility nearest his home.

SECTION 5. This act shall take effect upon becoming a law the public welfare requiring it.

Mr. McKinney moved to amend Amendment No. 5 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 5

Amend Amedment No. 5 by deleting the words & figures 12 (twelve) wherever they might appear in this bill and substituting the words and figures 14 (fourteen) in lieu thereof.

Mr. Rhinehart moved that Amendment No. 1 to Amendment No. 5 be tabled, which motion failed by the following vote:

Ayes	41
Noes	50

Representatives voting aye were: Baker, Bell (Wilson), Bivens, Buck, Byrd, Carter, Chiles, Cobb, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett) Dills, Duer, Gill, Henry (Roane), Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, McAfee, McNally, Martin, Moore, Naifeh, Rhinehart, Richardson, Robinson (Hamilton), Shirley, Sir, Small, Smith, Starnes, Sterling, Turner, Ussery, Wallace, Wix and Wolfe--41.

Representatives voting no were: Akard, Bell (Knox), Bewley, Brewer, Burnett, Clark (Davidson), Covington, Davidson, DeBerry, Disspayne, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Love, McKinney, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Percy, Phillips, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Spence, Stafford, Stallings, Tanner, Webb, Wheeler, Whitson, Withers, Wood and Yelton--50.

Mr. Robertson moved the previous question, which motion prevailed by the following vote:

Ayes	61
Noes	27

Representatives voting aye were: Baker, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Disspayne, Duncan, Ellis, Ford, Gaia, Gill, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kernell, King (Washington), Lashlee, McKinney, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Owen, Percy, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Turner, Wallace, Webb, Wheeler, Whitson and Wolfe--61.

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Representatives voting no were: Akard, Bell (Knox), Bell (Wilson), Carter, Chiles, Clark (Sumner), Cobb, Covington, DePriest, Duer, Frensley, Harrill, Henry (Blount), Henry (Roane), Kent, McAfee, McNally, Murphy (Shelby), Naifeh, Richardson, Smith, Tanner, Ussery, Withers, Wix, Wood and Yelton--27.

Thereupon, Amendment No. 1 to Amendment No. 5 was adopted by the following vote:

Ayes	49
Noes	45

Representatives voting aye were: Akard, Bell (Knox), Bewley, Bivens, Brewer, Burnett, Clark (Davidson), Clark (Sumner), Copeland, Davidson, DeBerry, Disspayne, Ellis, Ford, Frensley, Gaia, Henry (Blount), Hudson, Hurley, Huskey, Jared, Jones, Love, McAfee, McKinney, Miller, Montgomery, Murphy (Davidson), Murray, Owen, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Spence, Stafford, Starnes, Tanner, Webb, Wheeler, Whitson, Withers, Wood, Work and Yelton--49.

Representatives voting no were: Baker, Bell (Wilson), Buck, Byrd, Carter, Chiles, Cobb, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Gill, Harrill, Henry (Roane), Hillis, Kelley, Kent, Kernell, King (Washington), Lashlee, McNally, Martin, Moore, Naifeh, Percy, Phillips, Rhinehart, Richardson, Robinson (Hamilton), Shirley, Sir, Small, Smith, Stallings, Sterling, Turner, Ussery, Wallace, Wix and Wolfe--45.

Thereupon, Amendment No. 5, as amended, was adopted.

Thereupon, Senate Bill No. 1447, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--89.

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Representatives voting no were: Jones, Pruitt and Withers--3.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1760--To set requirements, certain constables.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1760 by inserting the following new section immediately before the effective date section and renumbering subsequent sections accordingly:

Section--. Tennessee Code Annotated, Section 8-10-101, is amended in subsection (a) (2) by adding in the first sentence after the words "or any subsequent federal census," and before the words "may upon passage of a" the following:

and any county having a population of not less than forty-one thousand eight hundred (41,800) nor more than forty-one thousand nine hundred (41,900), or not less than sixty-seven thousand five hundred (67,500) nor more than sixty-seven thousand six hundred (67,600) according to the federal census of 1980 or any subsequent federal census,

SENATE AMENDMENT NO. 3

Amend House Bill No. 1760 by adding the following language at the end of the amendatory language of Section 2:

"or not less than sixty three thousand seven hundred (63,700) nor more than sixty three thousand eight hundred (63,800) or not less than twenty five thousand two hundred seventy five (25,275) nor more than twenty five thousand three hundred (25,300) or not less than twenty eight thousand two hundred (28,200) nor more than twenty eight thousand two hundred fifty (28,250),".

Mr. Wallace moved that the House concur in Senate Amendments Nos. 1 and 3, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt,

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Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Pickering moved that the rules be suspended for the purpose of introducing House Bill No. 2260 out of order, which motion prevailed.

INTRODUCTION OF BILLS

House Bill No. 2260--To grant juvenile jurisdiction to sessions court, Houston County--By Pickering.

Passed first consideration.

NOTICE TO OVERRIDE VETO

MR. SPEAKER: I hereby file notice under House Rule No. 77 that I plan to move Senate Bill No. 323 for passage, notwithstanding the objections of the Executive.

REPRESENTATIVE JERRY JARED

Under the rules, the notice lies over.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, the sponsor gave notice of his intention to consider the following measures from the Senate on Wednesday, March 10, 1982:

House Bill No. 1625--Rhinehart.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray,

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Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 223--Relative to continuing construction, nuclear plant, Hartsville.

The Speaker referred Senate Joint Resolution No. 223 to the Committee on Conservation and Environment.

Senate Joint Resolution No. 235--Relative to sympathy, Thomas Jefferson Harrison, Jr.

Under the rules, Senate Joint Resolution No. 235 was referred to the committee on Calendar and Rules.

Senate Joint Resolution No. 236--Relative to honoring 100th Birthday, Corine Ross.

Under the rules, Senate Joint Resolution No. 236 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 361--Relative to Congratulating Kenton Junior High School basketball team--By Tanner.

Under the rules, House Joint Resolution No. 361 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 362--Relative to Congratulating Obion Elementary School girls basketball team--By Tanner.

Under the rules, House Joint Resolution No. 362 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 363--Relative to Congratulating Obion County Central High School football team--By Tanner.

Under the rules, House Joint Resolution No. 363 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 364--Relative to Congratulating Ron Cox--By McAfee, Wood, Carter, Robinson (Hamilton), Davis (Hamilton), Copeland and Starnes.

Under the rules, House Joint Resolution No. 364 was referred to the Committee on Calendar and Rules.

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House Joint Resolution No. 365--Relative to congratulating John Boyle--By McAfee, Wood, Carter, Robinson(Hamilton), Starnes, Davis (Hamilton) and Copeland.

Under the rules, House Joint Resolution No. 365 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILL

House Bill No. 2250--To regulate filing of appeals--By Murphy (Shelby).

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1164--To amend Title 36, Chapter 12, Code.

Passed first consideration.

Senate Bill No. 1171--To regulate assignment, insurance benefits, doctors and dentists.

Passed first consideration.

Senate Bill No. 1476--To regulate Mechanics' and Materialmen's Liens.

Passed first consideration.

Senate Bill No. 1487--To regulate services, Tennessee Preparatory School.

Passed first consideration.

Senate Bill No. 1529--To regulate rates, life insurance policy loans.

Passed first consideration.

Senate Bill No. 1621--To regulate resale, precious metal.

Passed first consideration.

Senate Bill No. 1817--To regulate distribution, taxes, retail alcoholic beverages.

Passed first consideration.

Senate Bill No. 1863--To regulate licensing, auctioneers.

Passed first consideration.

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Senate Bill No. 1869--To regulate Oil and Gas Board.

Passed first consideration.

Senate Bill No. 1916--To define "contracting."

Passed first consideration.

Senate Bill No. 1942--To regulate registration, trademarks.

Passed first consideration.

Senate Bill No. 2015--To reorganize Uniform Administrative Procedures Act.

Passed first consideration.

Senate Bill No. 2066--To increase amount of bonds, Tennessee Housing Development Agency.

Passed first consideration.

Senate Bill No. 2115--To regulate motor vehicle fuel use tax.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2234--To make certain provisions, municipalities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2235--To grant probate authority, certain counties.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2236--To provide for duties of constables, certain counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2237--To provide for general sessions court, Madison County.

Passed second consideration and held without reference.

House Bill No. 2238--To provide for general sessions court, Madison County.

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Passed second consideration and held without reference.

House Bill No. 2239--To regulate oil and gas wells.

Passed second consideration and held without reference.

House Bill No. 2240--To amend Charter, Bartlett.

Passed second consideration and held without reference.

House Bill No. 2241--To provide for fire insurance companies, certain counties.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 2242--To establish restrictions concerning juvenile detention.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2243--To regulate property taxation.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 2244--To make provisions, certain motor vehicles.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 2245--To enact the "Medical Radiation Safety Act".

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 2246--To regulate nomination of trustees, Madison County.

Passed second consideration and held without reference.

House Bill No. 2247--To prohibit operation of certain pinball machines.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 2248--To create Law and Equity Court, certain counties.

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Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2249--To amend Uniform Residential Landlord and Tenant Act.

Passed second consideration and referred to Committee on Judiciary.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill 1568; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, March 10, 1982: House Bills Nos. 1545, 1840, 1841, 1718, 1437, 1438, 1604, 1667, 1624, 1819, 1592, 1881, 1641, 1918, 1436, 1599, 1951, 1491, 2189, Senate Joint Resolution No. 188, House Bills Nos. 1517, 1558, 1750, 293 and 1556.

GILL, Chairman.

MOTIONS

On motion of Mr. Henry (Roane) House Bill No. 1890 was recalled from the Committee on Judiciary.

On motion of Mr. Henry (Roane), House Bill No. 1890 was withdrawn from the House.

SPONSOR ADDED

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 1658--Rhinehart.

SPONSORS REMOVED

On motion of Mr. Harrill, his name was removed as sponsor of House Bill No. 1913.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1801, 1815, 1858, 2062, 2140, 2153, 2174, 2179, 2214, 2215, 2220 and 2226; and House Joint Resolutions Nos. 314, 358 and 360; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1499--To regulate physical examination, boxers;

1568--To regulate practice, Veterinary medicine;

1634--To amend Title 7, Chapter 51, Part 2, Code;

1744--To require odometer readings, certificates of title; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Burnett moved that the House stand in recess until 6:00 p.m. for the purpose of meeting with the Senate in Joint Convention to hear the Governor's State of the State Address, and further moved that upon dissolution of the Joint Convention, the House adjourn until 2:00 p.m. Wednesday, March 10, 1982, which motion prevailed.

IN JOINT CONVENTION

The hour having arrived, set by Senate Joint Resolution No. 191--Relative to Joint Convention, Governor's State of the State Address, the Senate met with the House in Joint Convention.

The Joint Convention was called to order by Mr. Speaker Wilder, President of the Joint Convention.

On motion of Senator Hamilton, the roll call of the Senate was dispensed with.

On motion of Representative Burnett, the roll call of the House was dispensed with.

Thereupon, the Clerk of the Senate read Senate Joint Resolution No. 191 authorizing the Joint Convention.

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Senator Crouch moved that the President appoint a committee composed of six members from the Senate and six members of the House to notify the Governor that the Joint Convention was in session and awaiting his arrival, which motion prevailed.

Mr. President Wilder appointed the following committee to notify the Governor: Senators Ashe, Atchley, Davis (Shelby), Henry, Koella and Thomas; Representatives DeBerry, Frensey, Owen, Severance, Sir and Copeland. Representative DeBerry will serve as Chairman of this Committee.

Mr. President Wilder recognized the Chief Clerk of the House, David H. Welles, for introduction of guests.

Mr. Welles introduced the following guests who were escorted to the front of the House Chamber and seated.

The Chief Justice and Associate Justices of the Tennessee Supreme Court;

The Honorable William M. Leech, Jr., Attorney General and Reporter;

The Honorable Cletus McWilliams, Executive Secretary of the Supreme Court;

The Honorable Gentry Crowell, Secretary of State;

The Honorable Harlan Mathews, State Treasurer;

The Honorable William r. Snodgrass, Comptroller of the Treasury;

The Honorable Jane Eskind, Public Service Commission;

The Honorable Frank Cochran, Public Service Commission;

The Honorable Keith Bissell, Public Service Commission;

The Members of the Governor's Cabinet.

Mr. President Wilder recognized Mrs. Lamar Alexander.

The Joint Convention recessed pending the arrival of the Honorable Lamar Alexander, Governor of the State of Tennessee.

The Joint Convention was called to order by Mr. President Wilder.

On motion, the roll calls of the House and Senate were dispensed with.

Representative DeBerry, Chairman announced that the Governor was at the entrance of the House.

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The committee escorted the Honorable Lamar Alexander, Governor of Tennessee, to the Clerk's rostrum where he delivered the following State of the State address:

STATE OF THE STATE ADDRESS

Lt. Governor Wilder, Speaker McWherter, Ladies and Gentlemen of the General Assembly, Tennesseans one and all:

Any reort on the state of the State of Tennessee must start with one real and harsh fact: these are very hard times for many Tennessee families.

-- Unemployment is too high;

-- And our people are choking on interest rates and mortgage rates that are too high.

It is important to remember that there are two dramatic stories in Tennessee's economy today:

-- The first is mostly good. It is the long-range story of Tennessee's transition from a back-of-the-line economy to prosperity. It is a story of record capital investments and exports, new expansions, new industry and new jobs: the story of Eastman, North American Phillips, of Staley, Bridgestone, Parade, Florida Steel and Sharp. We are restructuring one of the weakest state economies in America. It is a slow process. Plants aren't built overnight. But it is happening.

-- The other story is all bad. It is the national recession that comes from Washington's spending, Washington's deficits and Washington's interest rates. The national recession started in 1980. In Tennessee, it has never stopped. Its pain is worse ever month.

I am going to talk a lot tonight about the first story -- about better jobs and new industries expanding in and coming to Tennessee.

-- about keeping government spending and taxes down to attract those jobs -- about teachers working hard to improve basic skills -- about improving technical education again for better jobs -- and about a Tennessee economy in transition.

I believe Tennesseans know that the General Assembly and I for these past three years have put Tennessee on a steady course -- a steady long-term course for that transition from a back-of-the-line existence to a prospering, showcase economy.

But good trends for tomorrow don't mean much to a Tennessee family without a job today or a Tennessee mother who can't feed her children today or a Tennessee senior citizen who can't pay hospital costs today.

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Behind the statistics are real people. This letter says it all. It's not right to make it public, and I won't -- but it's from a young couple in Bradford. She's looking for a job but can't find one. He's been laid off at ITT. They and their two-year old live on \$92 unemployment insurance a week. As she writes:

"We have a house to pay for, high utility bills, grocery and clothing bills for three people. We are proud people who believe in working for a living. Things are so depressing, no job in sight and I sit here wondering, what on earth do we do? . . . I am just scared and am looking for some kind of hope, and stability and security. My husband laughs at me for writing you, saying it will be tossed in the garbage, but I am upset and worried enough that I will try anything. I just pray you will see this, and offer some kind of hope, help, whatever, just something to give me a brighter outlook for my family and thousands more just like us."

That couple knows -- most people understand -- that governors as legislators cannot end a national recession. They would not respect us if we pretended that we could.

Neither should they respect us if we do not care -- if we just sit here wondering, what on earth can we do.

We cannot meet every need. But there are steps we can take which both accelerate our steady course toward a stronger economy and help people who need jobs right now.

For example, I have accelerated \$31 million of state construction work. That will put money and 1100 new jobs into the economy quicker at a time when people need it.

But, as with most things in state government, I need the legislature's help and approval to do the other things that will help right now.

If you pass the Scenic Parkway Bill quickly, we can advertise it to the first visitors to the World's Fair in May. That will put tourist dollars into rural counties where unemployment hits the hardest.

If you approve the process for spending community development block grant money, as endorsed by rural mayors and county executives, we can put most of \$30 million into building sewers, industrial parks, roads and water lines in rural counties: it will mean jobs.

-- If you approve this budget, we can start work in July rebuilding and replacing 800 rural bridges and push ahead with \$60 million in capital projects: that will mean 2300 more new jobs.

-- If you approve this budget, funding for the UT Library in Knoxville, the Technology Corridor Technical Institute near Oak Ridge

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and the Fogleman School of Business at Memphis State University all will mean jobs and better job training.

-- One third of Memphis high school graduates can't find a job and go on welfare in a year. The Memphis Jobs Program for High School Graduates is finding permanent jobs for 500 of this year's seniors. If you approve, this budget will expand the program to 1500 seniors next fall and put eight of ten of them to work and off the street. Think what that would mean to Memphis -- and those youngsters -- year after year after year.

-- The Senate has passed legislation to combine Shelby State Community College and the State Technical Institute in Memphis. If the House acts now, we can offer more job training at more places more Memphians by this summer.

-- Your approval of \$2.3 million to finish job training in connection with the Nissan Truck Plant in Smyrna will be one of the best investments ever made for the taxpayers. By summer there will be 3000 people working on permanent and construction jobs at that plant.

Again, these actions will not cure the national recession. The governor is not the President. The Lt. Governor is not the Chairman of the Federal Reserve Board. In fact, you could change the Lt. Governor, Speaker of the House and the governor tonight, and there would still be a recession tomorrow. The only difference would be that you probably would get a worse Lt. Governor and a worse Speaker. You might even get a worse governor.

But let no one say we can do nothing. The fact is the proposal and budget items I have mentioned will help. And the sooner they are passed the sooner they will help.

I have been talking about short-term human needs, the story that is all bad. But what about the longer-term story that is mostly good: the steady course that is the long-term transition toward a better economy.

I have hoped for this transition since my boyhood. My grandfather told me how he ran away from Tennessee to get a job when he was 11. My father delayed his education to pay off family debt born in the depression.

My walk four years ago reminded me again what it is really like in a state with the sixth lowest family incomes in America -- and so many poor people that our two percent of the nation's population qualifies for three percent of the food stamps . . . whether we have a national recession or not.

Since the day I arrived at this Capitol, I have been working to raise family incomes. It heads my list every morning and when I go to bed at night, too. We have gotten on the right course. We have come a long way. But we have a long way still to go.

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Here is what the steady course has meant and how far we still must go:

-- Despite a difficult economy, the Legislature has passed three balanced, steady course budgets in a row and is considering a fourth. Spending increases have been held under the inflation rate and under the growth of Tennessee family incomes, too. We must keep to this steady course.

-- These four budgets reduce the state's debt by ten percent, or nearly \$71 million. If Washington would reduce its debt ten percent, interest rates would be lower and the national recession would be gone.

-- Taxpayers are paying the salaries of 4000 fewer state employees today than when I took office. And we've done almost all of it by attrition. If Washington could cut its bureaucracy by ten percent, interest rates would go down and the national recession would be eased.

-- We have steadily increased our spending on the public school despite declining enrollments. The new budget contains money for the state's share of an average \$1,100 annual pay raise for our teachers. We must continue to spend half our state tax dollars on education.

-- We have managed all this without a major tax increase for the General Fund and without the state income tax that most states have. Our business taxes are moderate; our personal taxes are about the lowest in the country. To attract more jobs they must stay that way.

-- In the last three years, Tennessee has attracted \$3 billion new capital investments -- twice as much per year as normal -- doubled its export of manufactured goods, increased markets for agricultural goods, and attracted more Japanese capital investment creating American jobs than any other state in the country. So we have been setting some records even during a national recession. But we must keep it going through more hard work if our new economic prosperity is to be real when the national recession subsides.

Everywhere you look we've made progress, but everywhere you look we still have more to do to complete the transition of Tennessee's economy to full prosperity.

-- 2300 classroom teachers -- our real education experts -- are working overtime on a massive BASIC SKILLS FIRST effort. This fall the curriculum will be available for all our 1190 elementary schools. In five years, it can move our eighth graders from below average to above average in competency for reading, writing and arithmetic . . . before they start high school.

-- We are beginning to reorganize our community colleges, technical institutes and area vocational programs to make certain Tennesseans are learning the job skills they will need for the new

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Industrial Revolution that is coming to Tennessee in the 1980s. Finishing that organization and teaching the right skills are musts.

-- Over 5000 businesses and 383,000 Tennesseans are now enrolled in our Tenne-Senior Discount Program for the elderly fighting inflation. That's 85 of every 100 Tennessee citizens over 65, but we should not stop until it's 100 out of 100 . . . and we need three times as many businesses enrolled.

-- 1982 will break every record for Tennessee tourism. We must make breaking that record an annual event. Tourism accounts for nearly one of every 20 jobs in Tennessee.

-- The Legislature and I have taken some giant steps in improving our transportation system. After March 30, Knoxville's Malfunction Junction will function. After 20 years, Nashville's 440 Parkway is under construction.

Memphis' Overton Park controversy is solved and the money is at work on Memphis streets. The Walnut Street Bridge in Chattanooga has been approved. The Quad-City Beltway in Upper East Tennessee -- at long last -- is being finished.

The Department of Transportation has 900 fewer employees, new revenues and a streamlined organization. But there is more to do: these roads must be maintained. Six thousand bridges need fixing. Our urban areas need a local option gas tax to pay for their bus systems without raising property taxes.

-- Hundreds of dangerous criminals have been sent to jail under the Class X mandatory sentencing provisions. But we have no business resting until our streets are safe again, and they are not safe tonight.

-- Our Safe Growth Action Plan of litter control, hazardous waste disposal and other environmental protections is working. Two hundred thousand job-seekers came to Tennessee in the 70s; 300,000 more will come in the 80s. A higher percentage of people are moving to Tennessee than to any other southeastern state except Florida. They are welcome as long as they don't mess things up. We want to keep our clean lakes and well-kept parks and very special Tennessee way-of-life.

-- Huntingdon, Hohenwald, Newport, Erwin and McNairy County have earned the governor's 3-Star Preparedness Award. They are ready today for new jobs. Twenty-five other communities are expanding sewer capacity, building roads, setting aside land--doing what a community must do to earn the award and attract jobs. But there are 50 more towns that should be doing the same thing.

-- More than 100 Tennessee high schools now have Tennessee Tomorrow Clubs where future leaders are encouraged to see public service as a worthy calling. Some of those young men and women some

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day will sit and stand where we sit and stand tonight. The Program should be in every Tennessee high school.

All these changes in Tennessee come at the same time as some fundamental changes in Washington as well.

And one week from today the President will stand in this very spot presenting his case for New Federalism. He will talk about bringing government closer to the people, about restoring local control over programs that never should have gone to Washington. And he will propose sending back the money to pay for them.

Some people in Washington are afraid to give up these responsibilities; and some people in Tennessee may be afraid to take them. But most Tennesseans would welcome more say over their own lives. I have told the President that I strongly believe that the most sensible and digestible first bite of the New Federalism would be the swap that sees the federal government take over Medicaid and get out of our elementary schools. I have told him too that I believe this General Assembly will appropriate the funds fairly and be certain the programs run with less red tape than now exists in Washington.

In these times of such important change, let's constantly remind ourselves what the people expect of us.

The social engineers, the self appointed experts, the high-priced advisers always conclude that none of us is leading unless we are proposing unpopular things. It's as if you have to be against what the people want in order to prove you're a leader.

Well that doesn't have much to do with the American democracy I learned about in ninth grade civics at Maryville High School -- an learned about all over again a few years ago on the road from Maryville to Mountain City to Memphis.

What the people expect of their leaders is much simpler. They want us to be honest. They want us to behave ourselves. They want us not to get too fancy -- in our thinking or our ways. They want us to hold down spending and hold down taxes. And they want us to have a clear vision of the kind of state we want in the future.

Together, we've been doing all of these things. And what has resulted is a steady course for Tennessee -- which is moving us toward our priority goals: more jobs and money for our people; better schools for our children...and our adults; and keeping our Tennessee way-of-life for our families. These are simple goals. But they are right ones. We may not be able to end the national recession, but these are goals we can do something about...and we are.

Tennessee is on the move -- and we're not the only ones who feel it.

Last month's Federal Reserve report told both our stories: while

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high interest rates and the national recession continue, Tennessee is hit hard. But then, "Tennessee's economy is undergoing a period of longterm growth -- industrial expansion continues, tourism is flourishing, and the population continues to grow...long-term manufacturing prospects appear bright for Tennessee."

We don't need the Federal Reserve to tell us that. We know it from our own lives.

It wasn't long ago that my law school classmates at New York University were hoping I'd get called on in class. I never knew whether they wondered if I could talk or if it was because they thought I talked funny. I don't think they're laughing anymore.

And it was just a little while ago when we felt embarrassed that Tennessee's government was held up to ridicule on the nightly network news. I don't think they're laughing anymore.

It used to be they'd laugh about our music. Now all the musician in America want to cut their records in Nashville--and the whole world is singing our song.

It used to be that they'd joke about our slow and laid-back life-style. Now Federal Express brings all America's packages to Memphis each night so they can get delivered on time.

I used to watch them speed through our hills on the way to Florida. Now all America, by the millions, is coming to the World' Fair in Knoxville -- and most of them plan to stay awhile...to enjoy the mountains, to see Rock City and Opryland and Mud Island.

Just twenty years ago Mel Tillis wrote a song about Detroit City, because that's where generations of Tennesseans had gone to find jobs in the automobile industry. But now Tennesseans are coming home and staying home and looking for jobs here. And America's new automobile industry is coming to Tennessee...because they believe Tennessee working men and women can make trucks, tires and parts as well as anyone in the world. And I believe they're right.

And here's a story that sort of sums it all up for me. When I started my walk a few years ago there were some folks who laughed then, too. But I had a chance a couple of weeks ago to talk with a man from Connecticut -- a writer named Peter Jenkins -- who walked across the entire country -- from New York State to the Gulf of Mexico -- from Texas to the Pacific Ocean. And now that Peter Jenkins has seen it all, do you know where he's decided to live? He's moving to Tennessee. Right out here between Franklin and Eagleville.

Peter Jenkins could have read the Rand McNally study which says we have two of the 12 best cities in the entire country. Or, of course, he could have asked any of us. We would have told him that our small towns are even better. But he did it the hard way -- the sure

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way: he walked the country over -- and he's decided, rightly that ours is the place that's got it all. He told me, "Little by little, Barbara and I got to know Tennessee. It grows on you."

Surely there is no one here who thinks he chose wrong. For all us it is the same: if we could pick one country to call home it would be America; if we could pick one state to call home it would be Tennessee.

It has been eight generations since my family made that choice. For most of those eight generations Tennessee has enriched the souls of her people but not their pockets. Our economy has been so marginal, so poor, for so long that many of our families have know more hard times than good. But I sense that is changing. Our time iscoming. Tennessee truly is in transition.

The story is told by Tennesseans in transition:

-- The Jankowski's have two children in the 1st and 3rd grades Northhaven Elementary School in Shelby County. When they started school there was no systematic program for parental involvement in the teaching and learning of basic skills. Then came the Tennessee Assessment of Basic Skills -- TABS; and now the BASIC SKILLS FIRST curriculum. The Jankowski's are proud of their teachers' efforts; they're proud of their school system. For the Jankowski's, Tennessee is moving in the right direction.

-- Lillie Mae Young is 68 years old, living in Franklin on her savings and trying to fight inflation. This year, with her Tennessee Senior card, she can save \$175 in senior citizen discounts. For Lillie Mae, Tennessee is moving in the right direction.

-- Calvin Williams is 18, black, living in Memphis. He might have dropped out of school two years ago and have been unemployed today. But Calvin stayed in Booker T. Washington High School and through the Jobs for High School Graduates Program graduated and got a job at a law firm. He told me Thursday he wants to go to law school. I'll bet he makes it. For Calvin, Tennessee is moving in the right direction.

-- Will Houston Alexander is almost three and lives in Nashville with his parents, and older brother and two older sisters. The peri-natal facility for very sick babies that the state helps pay for at Vanderbilt hasn't always been there, but it was there to help Will. For Will and his family, Tennessee is moving in the right direction.

-- John McKee has a new job at Stanley's new \$260 million corn syrup and gasohol plant in Loudon. Last year he earned \$14,352. This year, in the new job, he's earning \$17,472. For John, Tennessee is moving in the right direction. And Stanley likes Tennessee so well they are putting a new agri-business plant in Memphis to make products from Tennessee soybeans.

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I really believe Tennessee is on its way to becoming an America showcase. Tennessee: a place of history; a place of beauty; home Music City and Mud Island, and the World's Fair and the mountains....and small towns and community responsibility and common sense -- and new economic opportunity too.

And if Tennessee is the place, this is the year -- the year of the Tennessean: when we welcome America coming to take a look; when we welcome new industries bring their new jobs here; when we welcome Tennesseans coming home because this is where the action is; when we welcome the decision of our children to stay and make their homes here and seek their dreams here and live their lives here.

There are Tennesseans who are hurting tonight -- without jobs or hope -- and no one in this room is going to forget them. We will do what is right. But there have been many in Tennessee hurting for a long, long time -- and while doing all we can to meet the short-term needs of the few, we can take pride too that we have helped set in motion some long-term answers for the many.

I congratulate this Legislature for leading the way. The steady course we have set will help make Tennessee America's showcase. I hope you will want to, and I am certain we can, stick to that steady course in 1982 -- this year of the Tennessean. For it is the steady course that is allowing the people of Tennessee to write still another chapter in America's history -- right here -- right now.

Mr. President Wilder relinquished the Chair to Mr. Speaker McWherter, President of the Joint Convention.

Mr. President McWherter expressed thanks to Governor Alexander.

The purpose for which the Joint Convention was called having been accomplished, Mr. President McWherter declared the Joint Convention dissolved.

The Senate repaired to the Senate Chamber.

Thereupon, pursuant to Mr. Burnett's earlier motion, Mr. Speaker McWherter declared the House adjourned until 2:00 p.m. Wednesday, March 10, 1982.